



United States Department of the Interior

FISH AND WILDLIFE SERVICE

IN REPLY REFER TO:

California State Office
3310 El Camino Avenue, Suite 120
Sacramento, California 95821-6340

November 1, 1996

Ms. Katherine A. Taylor
Cross Media Division
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 941053901

Subject: Approval of Two EPA Pesticide Bulletins For Grain Bait and Pelletized
Rodenticides and Burrow Fumigants

Dear Ms. Taylor:

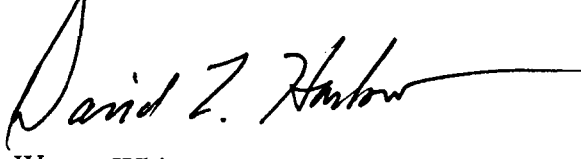
This responds to your October 31, 1996, request for approval of Pesticide Bulletins for the use of Grain Bait and Pelletized Rodenticides and Burrow Fumigants in the State of California. These bulletins were developed jointly by the Environmental Protection Agency (EPA), California Department of Pesticide Regulation (DPR), California Department of Fish and Game, California Department of Food and Agriculture, Fish and Wildlife Service (Service), and County Agricultural Commissioners. Specifically, you requested the Service's concurrence that these bulletins adequately protect affected threatened and endangered species and can be substituted for the reasonable and prudent measures and reasonable and prudent alternatives as described in the Service's March 1993 biological opinion on the Effects of 16 Vertebrate Control Agents on Threatened and Endangered Species.

The Service concurs that the Grain Bait and Pelletized Rodenticide and Burrow Fumigant Bulletins adequately protect federally listed species during subject pesticide uses and that they are consistent with the conclusions of the March 1993 Vertebrate Control biological opinion. Consequently, reinitiation of formal consultation is not required. However, please note that this concurrence applies only to those species covered in these bulletins that were also addressed in the 1993 opinion. The Service believes that reinitiation of consultation is required for species covered in the subject bulletins that were not addressed in the 1993 opinion (i.e., those listed since the issuance of that opinion), and are discussing such consultation with your staff to ensure adequate compliance under section 7 of the Endangered Species Act. These species are the Aleutian Canada goose, Inyo California towhee, Pacific pocket mouse, California red-legged frog, Alameda whipsnake, and giant garter snake. However, this consultation requirement does not

prevent DPR and County Agricultural Commissioners from proceeding with implementation of the bulletins under the authorities of the State of California.

The Service agrees that the completion of these bulletins represents a milestone in the joint efforts by all our agencies to protect federally listed species while allowing for the lawful use of agricultural pesticides. We look forward to continued efforts on this behalf.

Sincerely,


for Wayne White
State Supervisor

cc: Field Supervisor, Sacramento Field Office
Field Supervisor, Ventura Field Office
Field Supervisor, Carlsbad Field Office
Richard Hill, Portland Regional Office
Chief, Division of Endangered Species, Arlington, VA
Richard Marovich, California Department of Pesticide Regulation
Brian Finlayson, California Department of Fish and Game
Bob Roberson, California Department of Food and Agriculture
Larry Turner, EPA, Washington, D.C.